

CONSERVATION ISSUES AND STRATEGIES

Overview

Ellington's unique combination of natural, historic, and scenic resources define much of its character and quality of life. These resources are mutually dependent upon one another and negative impacts to one can similarly impact others. Properly protected, these resources will continue to have positive impacts upon the Town's character and its quality of life.

Open Space Plan

The Ellington Conservation Commission is in the process of finalizing an Open Space Plan, (Plan of Conservation), and this section of the booklet borrows heavily from their efforts. The overriding goal of the Open Space Plan is to help preserve the rural character of the Town. The Plan also contains Town wide goals, the more significant of which are as follows:

- Preserve working Farms
- Protect Ellington's natural resources
- Preserve and enhance recreational assets
- Enhance physical and functional linkages between lands

A discussion of these goals follows.

Protecting important resources is a critical element in maintaining community character and ensuring quality of life for current and future generations.

Historic Resources



Agricultural Resources



Resident input during the 2004 Buildout Study identified Open Space preservation as a key issue.

Open Space Types

From an open space planning perspective, experience has shown that open space generally falls into four categories that are not always mutually exclusive.

Dedicated Open Space

Land preserved in perpetuity as open space, often with public use.

Dedicated open space will remain undeveloped forever.

Managed Open Space

Land set aside for some other purpose, such as a golf course or public watershed land that provides some open space value. Public use may not always be allowed.

Managed open space can often be developed at any time.

Protected Open Space

Land protected from development, by such means as a conservation easement, but public use may not be allowed

Perceived Open Space

Land that looks or feels open, such as a farm or private woodlands, but is not preserved as open space.

Promote the Preservation of Farmland

One of the more important general goals of the Open Space Plan is to promote the preservation of farms and farming in Ellington. Ellington is an agricultural community and that character is an important part of the Town's physical, economic, cultural, and social identity. Time and time again, citizens have voiced concerns with the fact that farms are being converted to subdivisions and other uses. Farm preservation should be done in a manner that is consistent with the needs and desires of farmers, the availability of State and other resources, and with the strong and coordinated "strategic" support the Town's Boards and Commissions.

Preserve and Protect Ellington's Natural Resources

One of the primary goals of the proposed Open Space plan is to preserve Ellington's natural resources. This not only includes inland wetlands, watercourses, watersheds and other natural attributes, but also those attributes that make Ellington unique, such as the broad vistas, extensive ridgelines, and unique geologic features. Lakes, rivers, streams, and wetlands can be important sources of drinking water, as well as areas for recreation and wildlife habitat. Expanded protection is needed to preserve and improve the water quality of these resources. Picturesque forests contribute to improved air and water quality. The visual appeal of our ridgelines, fields of corn, and rolling meadows contributes to the rural character of the community.

Preserve and Enhance Recreational Assets

For families in Ellington, life has always included an appreciation for recreation, whether hunting, fishing, hiking or more organized activities such as youth sports. With its sizable and unique natural assets, Ellington should preserve and enhance its recreational assets in order to accommodate the needs of its growing population.

Enhance Physical & Functional Land Linkages

Too often, development occurs in a piecemeal fashion, wherein one parcel of land is evaluated outside its relationship to other adjacent and proximal lands. Where possible, physical and functional linkages between lands should be created so that the natural benefits of these connections can be protected and enhanced. Linkage provides potential wildlife corridors, opportunities for passive recreation, and can be used to provide buffers within developed areas.

Additional Open Space Recommendations

In order to complement and support the Conservation Commission's Open Space Plan, the following recommendations and actions are proposed.

Managed Open Space



Dedicated Open Space



Increase the Quality and Quantity of Open Space

Open spaces are more meaningful when they contribute to an overall open space system, enhance existing open space, or protect important natural or scenic resources. There are numerous methods available to Ellington to increase the quantity and quality of preserved open space.

Increase Open Space Set-Asides

Ellington currently requires a mandatory open space "set-aside" of 10% as part of every subdivision application. (Payments in lieu of open space are also authorized). Given the important role that open space plays in defining the rural character of Ellington, consideration should be given to increasing open space set asides in new subdivision development. Set aside requirements of 15 to 20 percent are not uncommon in Connecticut and increases in this range should be considered.

Initiate a Fund for Open Space Acquisition

Several studies have shown that purchasing open space can be fiscally responsible over time when compared to the perpetual costs and benefits of residential development that might otherwise occur. With education costs accounting for over 70% of the annual Town budget, the cost of educating children resulting from new residential development can often exceed new tax revenues, and over time, the cumulative net costs could exceed the bonding cost of purchasing the land for open space.

For this reason, the Town should consider establishment of an Open Space Acquisition Fund. This fund could be financed by annual allocations, through bonding, or through a combination of both. Such an established fund could be very effective, in time sensitive situations, for the strategic purchase of open

space. Additionally, it could be doubly effective when combined with 50% state matching grants.

Continue to Accept Fess in lieu of Open Space Where Appropriate

When there is no appropriate open space within a subdivision, the PZC can accept a fee in lieu of open space equal to 10% of the pre-development value of the parcel being subdivided, to be used to purchase more appropriate open space elsewhere in the community. It should be noted that State Statute limits the fee in lieu to 10\$, and that this percentage may not be increased by the Commission.

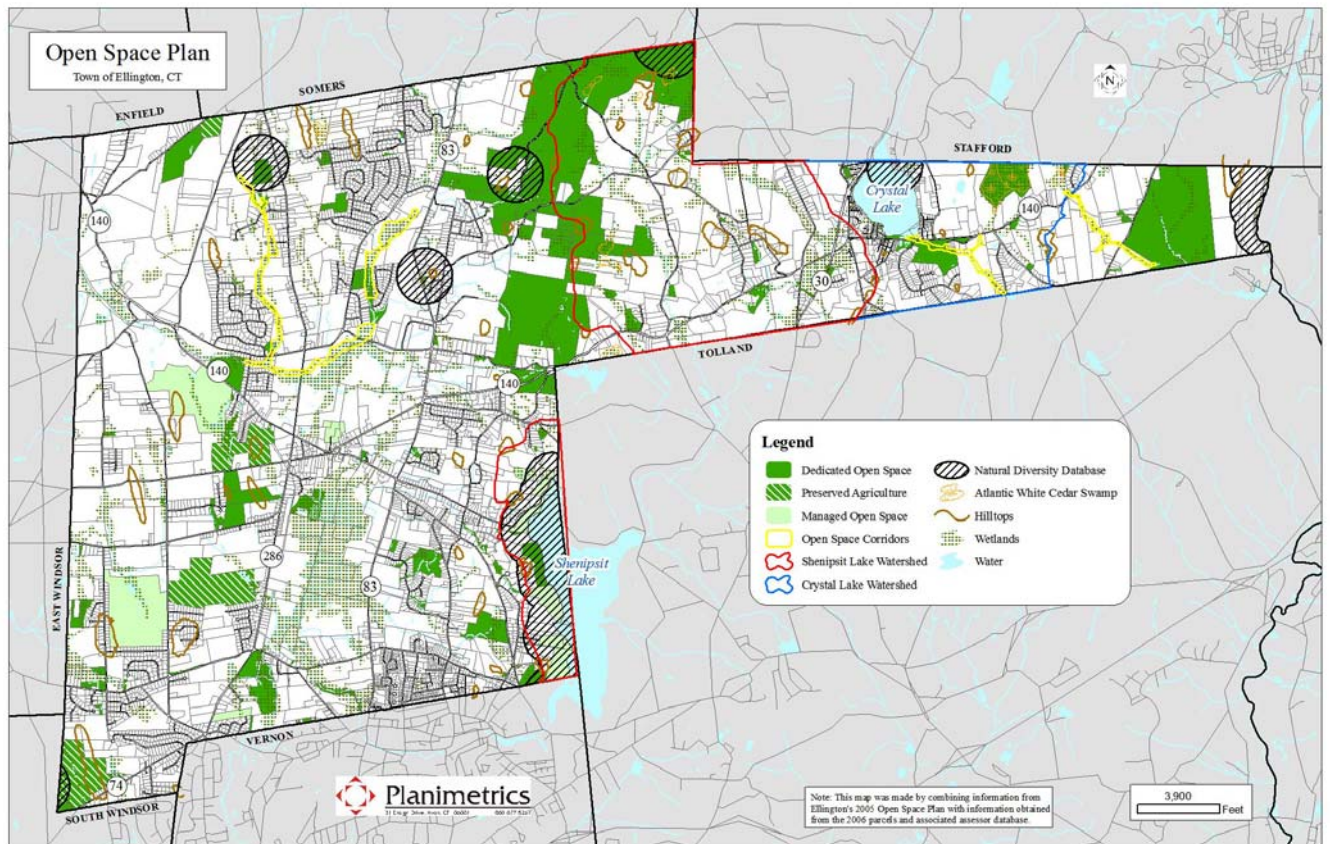
Improve the Quality of Open Space

Currently, the Subdivision Regulations contain a provision that open space shall be reasonably and impartially representative of the land type under active development. To improve the quality of open space required to be set aside in residential subdivisions, the Planning Commission should consider being more definitive in this matter by adopting in the subdivision regulations an “equivalency factor”. This would require the combined percentage of wetlands, floodplain, and steep slopes in the mandatory open space set-aside to be no greater than that of the overall parcel. This prevents developers from consuming a disproportionate share of the buildable land and donating the unbuildable land as open space. In many cases, unbuildable land is self-preserving and does not require the benefit of open space protection.

Encourage Open Space Residential Developments

Ellington’s Zoning Regulations contain a provision for Open Space Residential Developments (OSRD). These developments allow a reduction of up to 25% in lot sizes in return for preserving more open space. Currently, the OSRD regulations require a minimum of 10 acres of open space.

There has yet to be a development completed under the OSRD provisions. For whatever reason, the regulations do not offer the development community any advantage over a standard subdivision layout. It may be that the lot reduction requirement is too narrow in that it applies only to lot size and no other requirements. The OSRD regulations should be reviewed and re-written with adequate incentives to enable the provision of more open space. That is, consideration should also be given to allowing the 25% reduction apply to lot width and yard requirements to provide needed flexibility in the siting of lots and the configuration of open space.



Utilize Greenways to Interconnect Open Spaces

Interconnecting open spaces with greenways is an effective way for Ellington to establish a meaningful open space system that provides benefits for both passive recreation and wildlife. A system of greenways can function as wildlife corridors, allowing wildlife to migrate between larger open space habitats. Connecting activity centers with a trail/greenway system can provide passive recreation and also reduce dependency on automobiles.

The Hockanum River and the Willimantic River present opportunities to establish greenways, a linear park, if you will. Other opportunities for establishing greenways are noted on the open space plan map. These include:

- Brook and Wetland systems north of Brookside to the Shenipsit State Forest area, as well as to the dedicated open space area in the vicinity of Birch View Drive.
- In the pan handle, the brook/wetlands system connecting the Crystal Ridge Open Space with the White Cedar Swamp.
- The brook and wetlands system extending north from the Nye Holman State Forest to the large wetlands area east of the White Cedar Swamp.

Due to their vital nature to the success of the open space program for the community, critical parcels should continue to be targeted for purchase or other means of preservation, rather than wait for acquisition by mandatory set-asides resulting from future development. The Town should encourage other open space organizations to allow public access and secure easements over private property when necessary to complete trail corridors within the greenways.

When completed, the Conservation Commission's Open Space Plan should be adopted by the PZC as an addendum to the Plan of Conservation and Development as the Conservation Commission's Plan provide far greater detail than the more strategic vision contained herein.

Preliminary Open Space Strategies

1. Increase open space set-asides to 15%.
2. Adopt an open space equivalency factor
3. Encourage Open Space Residential Developments.
4. Initiate a fund for open space acquisition.
5. Allow off-site dedication of open space
6. Consider greenway systems to interconnect open space areas.
7. Adopt, by reference, Open Space Plan prepared by Conservation Commission.

Preserve Agricultural Resources

Agriculture has and continues to play a significant role in Ellington. It continues to enhance the quality of life for residents and remains a strong element of Ellington's diverse community character by:

- providing open space vistas which contribute to scenic character,
- providing local produce and other agricultural products,
- providing local employment and diversifying the economy,
- providing educational / tourist experiences, and
- preserving Ellington's agricultural heritage.

Preserve Existing Farmland

According to the most recent land use inventory, Ellington contains approximately 5,553 acres of active agricultural land, which accounts for 25% of the total area of the Town. Out of this total acreage, 668 acres, or just under 12% has been protected through the purchase of development rights or other means. The remaining 4,865 acres are only protected by the desire of the current owners to farm or otherwise keep them free of development.

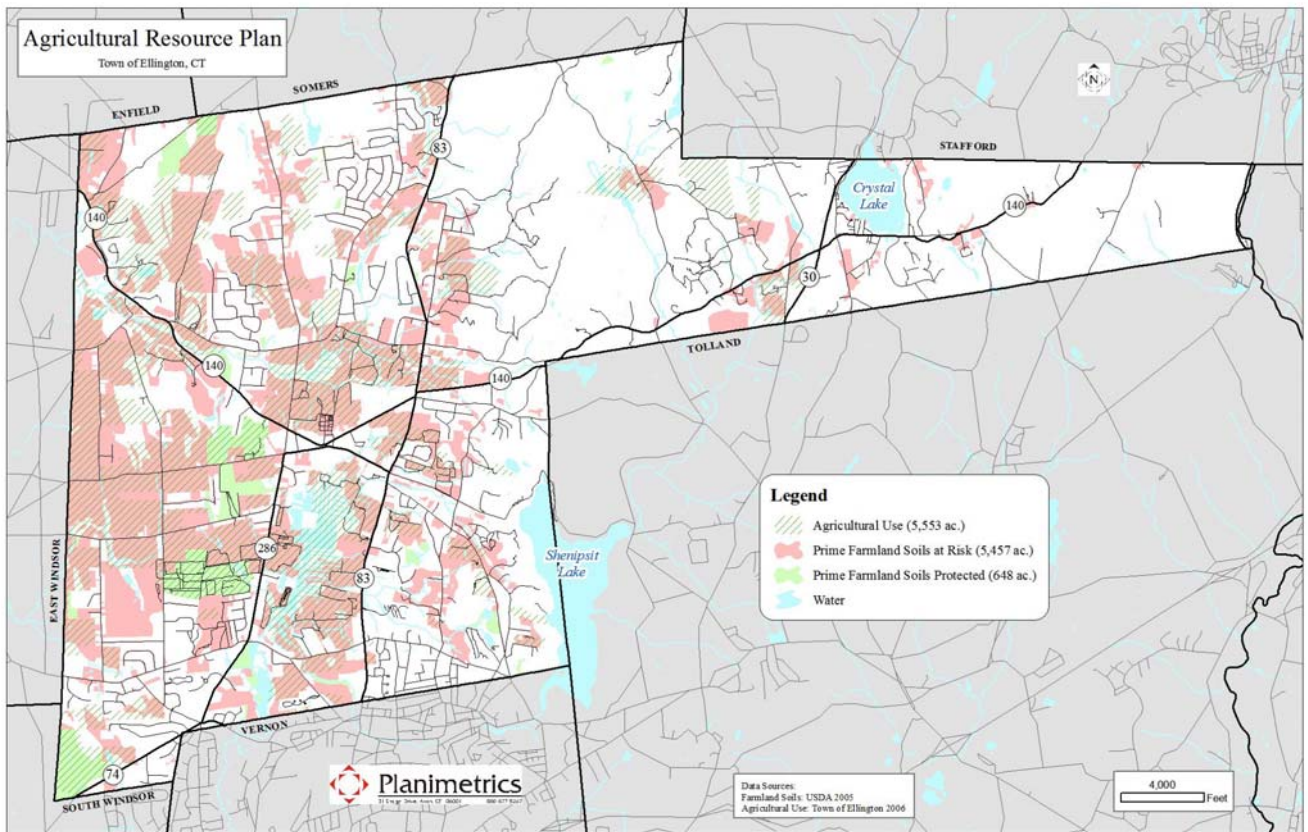
Farm Land



Rural Character



Ellington should continue to support programs that preserve farmland. The Connecticut Department of Agriculture's Farmland Preservation Program purchases the development rights of farms, with a goal of preserving 130,000 acres of farmland statewide. By selling their development rights under this program, farmers receive an infusion of cash to support continued farming and in return, surrender their ability to develop the property in the future. This program has been used successfully in Ellington with 5 farms participating with a total of 688 acres preserved. It should be noted that the State Program uses very low monetary values for farm acreage – about one-quarter of that offered by residential developers. Lobbying on the part of the town to increase this figure would be worthwhile.



In addition to purchasing development rights, options that can protect threatened farmland and ensure its continued agricultural use include the following:

- purchase outright and lease farmland back to the owner or another tenant farmer,
- purchase outright and sell the development rights under the Farmland Preservation Program,
- purchase outright and resell the land to another farmer without development rights, and
- purchase at a bargain sale price in return for federal tax deductions and/or continued lifetime use of the property for farming.

Encourage and Support Current Farming Activity

There are many programs and policies that can be used to assist farmers as they continue farming in the face of increasing taxes, costs, and competition. Ellington is a farm-friendly community and encourages farming through several programs.

Public Act 490 (PA 490) is a Connecticut law passed many decades ago that enables eligible farmland to be assessed based on its agricultural use and not the fair-market value for its potential “highest and best use,” which is considerably higher for residential or commercial development. Farmland in Ellington is currently enrolled in this program. PA 490 should not be confused with a preservation program, since there is no prohibition against developing farmland enrolled in the program other than a nominal penalty for withdrawal of land from the program during the first ten years. What PA 490 does accomplish is it makes farming more economically viable so that there is less pressure to sell it for development. Even with reduced assessments, farmland can be more fiscally sound than most residential development. This is due to its low demand for community services per tax dollar.

Ellington’s Zoning Regulations are also relatively farm-friendly in that they allow farming activity in most zoning districts. Consideration should be given to allowing, as of right, farm stands in all zones that permit farming. The PZC should also consider adding more flexibility for farm related uses. Examples include wineries where patrons can taste and purchase wines, bakeries selling baked goods made with farm produce, restaurants featuring farm produce or wines, as well as other forms of ecotourism. These activities can all add to the continued viability of agricultural uses and attract visitors to Ellington who may patronize other businesses during their visit.

As residential development continues to encroach on farming activity, complaints regarding manure odor, pesticide application, escaped livestock, noise, dust and other nuisances are bound to increase. Ellington can adopt a “Right to Farm” policy that:

- recognizes the importance of agriculture to the community,
- recognizes that the farms existed before the residential development, and
- protects farmers from nuisance claims arising out of the normal operation of their farms.

Existing farms should also be offered the protection of buffer areas. That is, when new residential subdivisions are propose adjacent to a working farm, that subdivision should provide a vegetated buffer to ease the transition from the farm to the newly constructed homes.

Preliminary Agricultural Preservation Strategies

1. Continue to support programs that preserve farmland.
2. Consider alternatives to purchase of development rights for threatened farmland such as purchase and leaseback.
3. Allow more flexible farm use regulations to encourage ecotourism.
4. Adopt a “right to farm” policy to protect agricultural activity from nuisance complaints.

Preserve and Protect Important Natural Resources

Conservation of natural resources is important in terms of preserving environmental functions, preventing damage to the environment, and maintaining biodiversity. Major natural resource protection issues facing Ellington include:

- potential contamination of surface and groundwater resources,
- development of environmentally sensitive areas,
- fragmentation and loss of wildlife habitat, and
- the spread of invasive and/or non-native species.

Protect Water Quality

Protecting water quality should be the top priority for natural resource protection. Ellington's surface and groundwater resources provide potable water, contribute to biological diversity, and add to the overall quality of life for residents.

Protect Drinking Water Supplies

Surface and groundwater resources are particularly fragile in that once they become contaminated; they can be lost forever as a source of potable water. This could lead to serious economic consequences for the community, the region, and their residents. Ellington contains a public water well field operated by the Connecticut Water Company, a public water well field operated by the Ellington Acres Water Company, a number of private community well fields serving residential developments, and the Shenipsit Lake reservoir owned and operated by Connecticut Water Company.

There have been a number of groundwater pollution incidents to date resulting in monitoring, and where possible, remediation. However, as noted on the Water Quality Map, overall surface and ground water quality is very good in Ellington. Specific strategies to maintain and enhance this quality include the following.

Explore Possible Need for Overlay Protection Zones for Public Water Well Fields and Surface Reservoirs.

Ellington does not contain the specific type of aquifer (groundwater supply) which is required under state regulations to receive special consideration and regulatory protection.

Protection of water quality should be the top natural resource priority.

Resources for Preservation

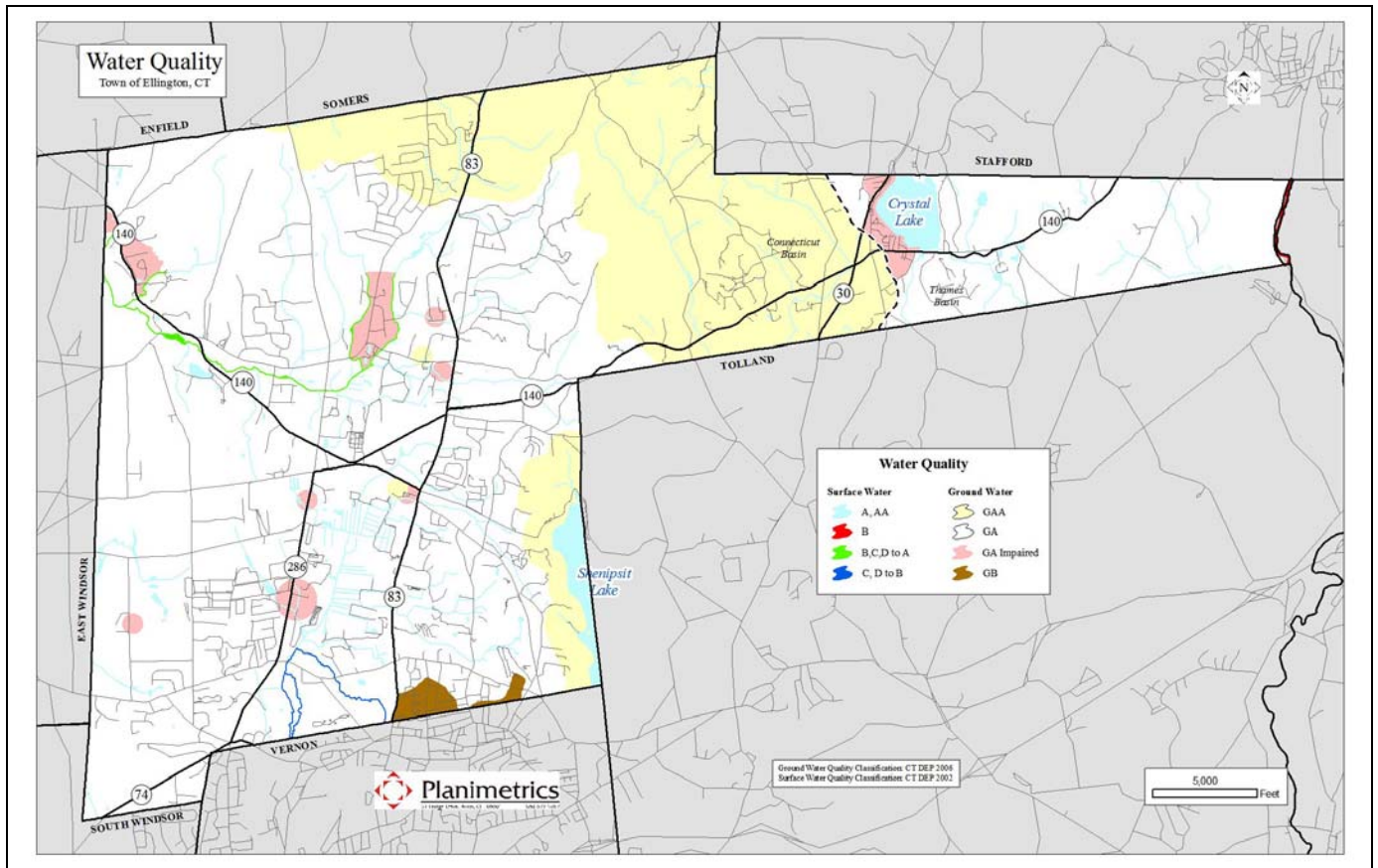
Resources so important to environmental quality or community character that alterations to these areas should be avoided. These include:

- watercourses,
- water bodies,
- inland wetlands,
- steep slopes (>25 percent),
- 100-year floodplain areas

Resources for Protection

Resources that can and should be protected if development occurs in an environmentally sensitive way. These include:

- water quality,
- public water supply watershed areas,
- stream-belt corridors,
- 500-year floodplain areas,
- unique or special habitat areas,
- unfragmented wildlife habitat areas



Ellington Acres Well Field



Shenipsit Reservoir



Nevertheless, the town needs to be vigilant in offering protection to its drinking water resources. An overlay zone detailing and controlling uses relative to their potential impairment of water quality should be considered.

The table on the following page ranks land uses from lowest to highest risk for polluting water resources and makes recommendations for their use in the water resource protection areas. This information could be used as a starting point in the development of Water Quality Protection Overlay Zones.

Regulate Underground Storage Tanks as Potential Pollution Source

Underground storage tanks (UST) for residential fuel oil can be a significant threat to groundwater resources. Estimates are that one in every five residential USTs in Connecticut has leaked in the past. For many residents, a UST is out of sight, out of mind, and they never give them any thought until something goes noticeably wrong. Many lending institutions and insurance companies will not lend money or issue policies on residences with USTs and will require their removal and replacement with indoor, aboveground tanks before closing or issuing policies. While helpful, this process does not always address longtime residents who have owned their homes for decades, when the average life expectancy of a steel walled UST is 15 to 20 years.

Underground Storage Tanks

Residential underground storage tanks or UST were common for many years. By some estimates, one in five residential USTs in Connecticut has leaked. The average cost of removing an intact residential UST is \$2,000 plus the cost of a new above ground tank while the average cost of cleanup of a leaking residential UST in Connecticut is \$8,000. The owner of a leaking UST may be responsible for nearby contaminated wells. As of 1999, 36 communities in Connecticut adopted some form of UST regulations.

Many insurance companies will not issue homeowners insurance on homes with UST and many homeowners policies will not cover the cost of cleanup of a leaking UST.

The median length of tenure for single-family homeowners in Connecticut is 15 years, meaning that half of the homeowners have lived in the same home for more than 15 years. The average life expectancy of a UST is 15 to 20 years.

Underground Storage Tank Removal



Hazardous Materials Pose a Threat



Recommendations for Uses in Water Resource Protection Areas

Lowest Risk	
Use	Recommendation
1. Water company owned land 2. Passive recreation and open space 3. Parks and forests 4. Private land managed for forest products 5. Developed recreational use, public parks	Should be permitted anywhere
1. Field crops or permanent pasture 2. Low density residential (≥ 5 units/acre) 3. Churches, municipal offices	Should be permitted anywhere
1. Agricultural production - dairy, live-stock, poultry, nursery, orchards	Generally preexisting uses, best management practices recommended
2. Golf course 3. Medium density residential (1 unit/acre)	Conditionally permitted in all water resource protection areas upon adherence to best management practices and connection to public sewers where applicable
1. Institutional uses - schools, hospitals, nursing homes, prisons 2. High density housing (< 2 units/acre) 3. Commercial - with nothing more than domestic sewage discharges 4. Assembly, storage, research - with nothing more than domestic sewage discharges	Conditionally permitted in public water supply watersheds and designated high groundwater availability areas upon adherence to best management practices and connection to public sewer.
1. Retail commercial - gas and auto service stations, dry cleaners, photo processors, medical arts, furniture strippers, beauty shops, junk yards, machine shops, radiator repair shops, print shops 2. Manufacturing, processing, research 3. Waste disposal lagoons, bulky waste landfills 4. Cemeteries	Generally prohibited in public water supply watersheds and designated high groundwater availability areas.
Highest Risk	

Use risk factor information from Connecticut Department of Environmental Protection

To address this issue, many communities have adopted Underground Storage Tank Ordinances that regulate USTs to varying degrees. Such an ordinance can require any combination of the following:

- registration and monitoring of all USTs,
- the immediate removal of USTs of undocumented age,
- the removal of all USTs that have reached their expected life, and
- amortization of all USTs over time before requiring their removal.

Ellington should evaluate the threat of USTs to groundwater resources and if warranted adopt a UST ordinance.

Impervious Surfaces

Impervious surfaces are buildings structures and paved surfaces that do not allow stormwater to soak into the ground, thus creating additional stormwater runoff.

Pervious Pavement

Pervious paved surfaces such as grass pavers, open grid block pavers, and permeable bituminous pavement can be used to effectively reduce lot coverage from a stormwater management perspective. While not acceptable in all situations due to the tendency of motor vehicles to leach oil and grease onto paved surfaces, these materials can be used in limited applications such as remote fire lanes, or parking areas that are used infrequently or seasonally. Examples include overflow church parking that is used seasonally or at least only once a week; and seasonal commercial parking that is only used for periods of seasonal high demand but remain unused for ten months out of the year.

Monitor Septic Systems

Septic systems pose a similar threat to both groundwater and surface water resources in that they are also out of sight and out of mind until something goes wrong. Septic system failures can lead to the contamination of stormwater runoff with such organisms as E. Coli and Cryptosporidium, which can then migrate and contaminate surface and groundwater drinking supplies. Septic systems generally require regular maintenance to function properly and reach their useful life.

Many communities create Septic Management Programs that encourage or require residents to monitor and regularly maintain their septic systems. These programs can range from a simple system of reminders to perform regular maintenance to requiring mandatory inspection and maintenance, with contractors providing proof to the local Sanitarian.

Ellington should evaluate the threat of septic systems on drinking water resources and if warranted, in concert with the North Central District Health Department, create a Septic Management Program.

Improve Stormwater Management

Impervious surfaces can increase the volume and velocity of stormwater flowing off a developed site, causing erosion as well as collecting and concentrating non-point source pollutants such as:

- road sand and salt;
- automotive fuel, oil and grease; and
- fertilizers and pesticides.

Under the Environmental Protection Agency's (EPA) new National Pollution Discharge Elimination System (NPDES) Phase II guidelines, Ellington and any commercial properties tying into its stormwater system will be responsible for reducing the discharge of pollutants to the maximum extent practical through the implementation of a series of minimum control measures and best management practices summarized below.

Reducing impervious surfaces can directly reduce the amount of surface runoff that must be collected and treated. Runoff from building roofs is generally considered clean water. By discharging it onto lawns or impervious surfaces, it can become contaminated with non-point source pollutants and add to the volume of stormwater that must be managed. Roof runoff can be safely disposed directly into the ground by connecting roof leaders into special catch basins that temporarily store and allow water to infiltrate into the ground at a high rate, effectively removing building roofs as impervious surfaces on a site.

Lot coverage, parking, and road standards can all be examined for possible reductions. Effective Impervious Lot Coverage standards could be developed to encourage the infiltration of clean runoff, reductions in paved surfaces, and the use of pervious pavement that would allow infiltration of stormwater (see sidebar). By reducing the amount of lot coverage and allowing higher, effective impervious surface coverage that takes into account roof runoff infiltration, permeable pavement, and similar measures, stormwater runoff can be reduced.

Runoff from many paved surfaces should be treated before being discharged into the ground or nearby surface waters. This can be accomplished by a combination of mechanical and natural means. Oil and grit separators, if properly maintained, can be very effective in removing pollutants, sand, and silt from pavement runoff before it is discharged. Certain natural wetlands vegetation is also capable of filtering sand and silt and even absorbing some pollutants. Used in combination, these measures can significantly improve the quality of stormwater being released into the waterways of Ellington.

Excess Pavement Increases Runoff



Failing Septic System

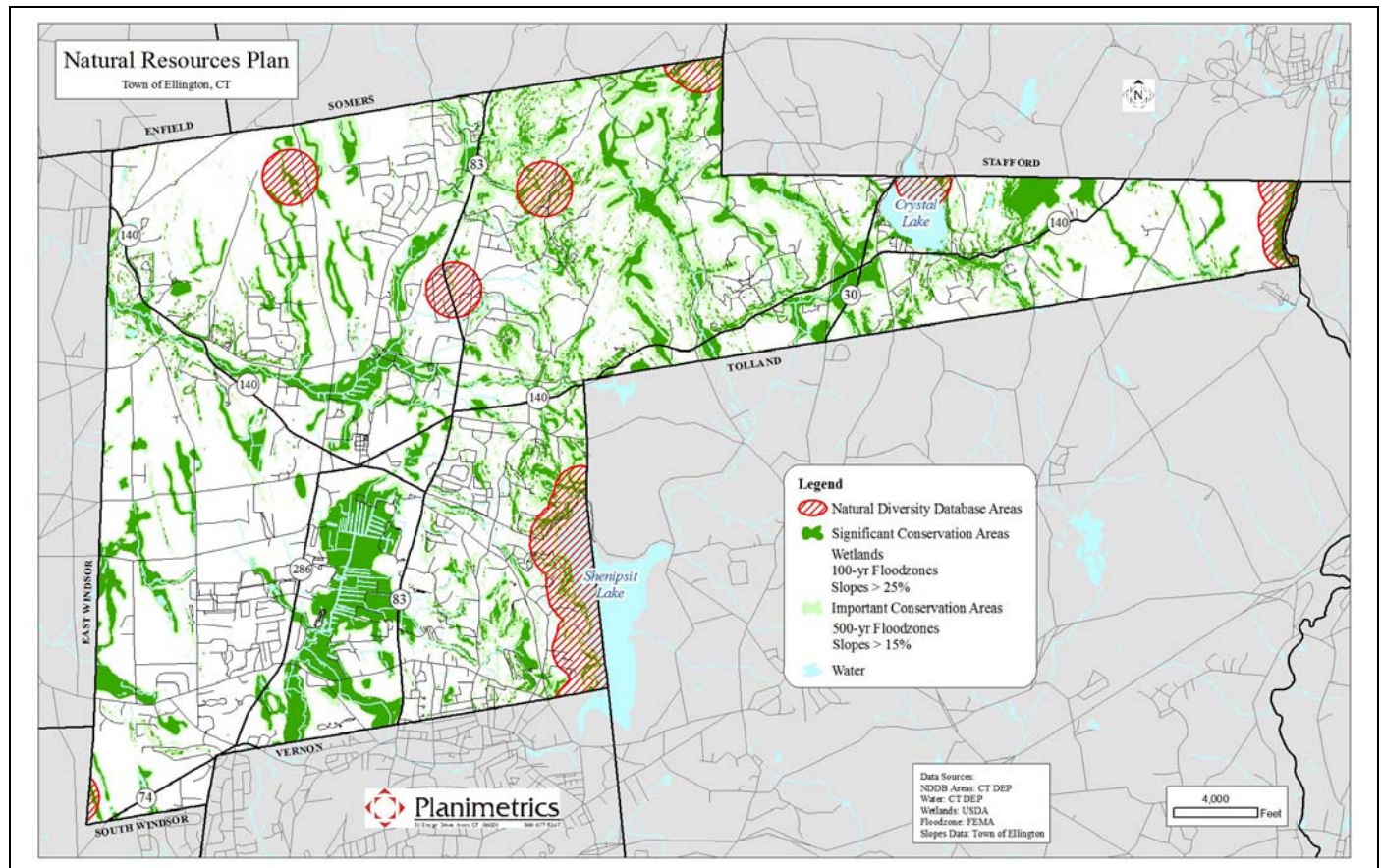


Protect Sensitive Soil Resources

Ellington's Zoning Regulations are conventional in that they prescribe residential lot sizes according to general conditions such as historic development patterns and the availability of public water and sewer. The local conditions within these districts can vary considerably from one parcel to next due to the existence of wetlands, steep slopes, and other soil conditions that impact development.

To ensure that development does not overwhelm natural resource elements, Ellington should consider a buildable land regulation that limits the extent to which watercourses, wetlands, and steep slopes (>25%) may be counted towards the number of lots that a property may yield. (This provision is a current requirement in the ARCH Zone.)

Additionally, as discussed in the Buildout Study, consideration should be given to applying a density factor to regulate the lot yield of residential subdivisions taking into account the minimum lot size, open space set-aside, and the road right-of way. This density factor would vary with such elements as the availability of sewers and public water supply, and the areas topography and soil



conditions. The use of a density factor could enable a more flexible approach to lot sizes and a means of preserving additional open space.

Preserve Wildlife and Habitats

As Ellington continues to develop, pressure on wildlife will increase, as habitat is lost to development. The DEP maintains a Natural Diversity Database (NDDDB) that identifies areas where species of concern that are threatened or endangered may exist within Ellington. When development proposals occur in these areas, applicants should be required to work closely with Town, and DEP staff if necessary, to mitigate any impacts on the species of concern and their habitat.

Another simple measure of added protection for preserving the natural ecosystem is to prohibit the deliberate introduction of non-native or invasive species during the site development or subdivision process. Invasive plant and animal species with no predators can aggressively multiply; replacing or depleting native wildlife food sources, leading to erosion, costly property damage and even threatening human health and safety when species are toxic such as the giant hogweed shown below.

Conflicts Between Man and Nature



Invasive Plant Species (Giant Hogweed)



Preliminary Natural Resource Preservation and Protection Strategies

1. Evaluate the threat of USTs to groundwater resources and adopt a UST ordinance if necessary.
2. Evaluate the threat of septic system failures on surface and ground drinking water supplies, and adopt a Septic Management Program if necessary.
3. Adopt effective impervious coverage requirements to encourage reductions in stormwater runoff.
4. Require natural and/or mechanical treatment of stormwater before its release.
5. Amend the Subdivision and Zoning Regulations to require applicants to work with Staff and/or the DEP to avoid or mitigate impacts on species of concern identified in the DEP's Natural Diversity Database.
6. Amend the Subdivision and Zoning Regulations to require applicants to consider wildlife and their habitat in their designs.
7. Prohibit the use of invasive species as landscaping for site plans and subdivisions.

Preserve Historic Resources

Ellington, like many New England communities has a long and rich history. Yet there is little official documentation of historic buildings and sites within the town. Some historic resources which are readily identifiable include:

- The McKinstry House (1730) thought to be the oldest house in town.
- The Pinney House, currently being nominated for the National Register.
- The Ellington Center Historic District is listed as a National Register District.
- Kneseth Israel Synagogue is listed on the National Register.
- The Nellie McKnight Museum operated by the Ellington Historical Society

The Commission on Culture and Tourism, Historical Preservation and Museum Division, currently provides grants for the full cost of an inventory of historic buildings and sites. Once the full extent of historical resources is known, the Town can decide on the scope and scale of preservation efforts.

Potential Preservation Programs

There are numerous approaches to historic preservation to include the establishment of historic districts, incentives in zoning regulations to preserve buildings, and demolition delay ordinances, to name but a few. No one program is right for all communities. The various programs that can be employed are discussed below.

Historic Green Area



Historic Recognition Plaque



Historic Districts

In order to exercise regulatory control over the architectural integrity of historic resources, property owners within historic areas would need to vote to establish a local historic district. A Historic District Commission, appointed by the Board of Selectmen, would then adopt and administer regulations requiring a Certificate of Appropriateness for certain exterior architectural improvements within a district that are visible from a public street. While the scope of regulations may vary from one district to another, the intent should be to ensure that improvements do not harm the architectural character of individual properties or the surrounding district. Property owners within local historic districts often appreciate the protection of their investment in maintaining and rehabilitating their properties

Preserving historic resources can protect community character and preserve Ellington's historic legacy.

A professional inventory of Ellington's historic resources is badly needed. Such an inventory would form the basis of preservation efforts.

Tax Abatements for Historic Properties

CGS Sec. 12-65e authorizes communities to fix assessments during rehabilitation and/or phase in increased assessments resulting from the rehabilitation of properties within a designated rehabilitation area.

CGS Sec. 12-127a authorizes communities to abate taxes for buildings of historic or architectural merit. The statute reads in part as follows: *Such tax abatement shall be available to the owners of real property which is so classified if it can be shown to the satisfaction of the municipality that the current level of taxation is a material factor which threatens the continued existence of the structure, necessitating either its demolition or remodeling in a manner which destroys the historical or architectural value.*

offered by the assurance of continued historic and architectural integrity of neighboring properties.

Village Districts

Another tool for protecting the aesthetic character of historic properties is the “village district.” Adopted by Planning & Zoning Commissions (PZC), a village district is a zoning district that allows for a high degree of architectural and site design control. A village district typically applies to commercial and multi-family developments, ensuring that as properties are redeveloped, or infill development occurs, the development will be in character with the surrounding area. Unlike a local historic district, village districts may be adopted unilaterally by the PZC after an application and public hearing in accordance with their established zoning procedures.

Adaptive Re-use

To encourage rather than mandate historic preservation, regulatory incentives such as adaptive re-use provisions can be adopted by the PZC. This would give owners of historic properties flexibility in re-tenanting their properties in return for making repairs that ensure the continued architectural and historic integrity of the property.

Tax Abatements

The Board of Selectmen can provide economic incentives such as tax abatements for the restoration or improvement of historic resources, provided such improvements do not compromise the architectural or historic integrity of the property (see sidebar). Such abatements are a “win-win” situation for both the Town and property owner. By deferring or phasing in the tax increase on the improved value of a historic property, property owners are not immediately saddled with higher property taxes while paying for renovations, which would otherwise be a disincentive to improving their property. The Town ultimately benefits from both the aesthetic improvement to properties as well as the eventual increase in property taxes when the properties are later assessed at their new full value.

Demolition Delay Ordinance

While not ultimately offering protection, the Board of Selectmen can adopt a demolition delay ordinance that requires as much as a 90-day waiting period before historic buildings can be demolished. This waiting period allows the opportunity to seek alternatives to demolition such as purchasing the property, relocating the structure(s), or at a minimum, salvaging architectural components before buildings are destroyed.

Encourage “Sensitive Stewardship”

Owners who are committed emotionally and financially to maintaining historic resources can be the most effective means of preserving them. Sensitive stewardship is the notion that owners of historic properties are temporary stewards of a historic community resource and have a responsibility to maintain their architectural and historic integrity and pass that responsibility on to future owners. Without pride and sensitivity in ownership, no regulatory or incentive program can prevent the loss of historic resources due to neglect and ultimate demolition. One way to encourage sensitive stewardship is through such

recognition programs as the National and State Registers of Historic Places. Ellington already has several designations on both historic registers but there are clearly additional properties worthy of designation.

National or State Historic Register designation is an honorary program with no regulatory impacts on owners. However, it does offer limited protection from federally funded programs such as Federal Highway Administration (FHWA) funded highway projects, requiring such projects to mitigate impacts on National Register designated properties. Designation can also benefit owners of historic commercial properties by making renovations thereof eligible for federal tax credits if the renovations comply with appropriate standards.

Ellington can also establish an honorary local register of historic places to acknowledge properties of local historic significance without the formality of an application for federal or state designation. Such a program might be administered by the Ellington Historical Society and could include a voluntarily historic placard program to indicate the original owner and/or date of construction of local historic buildings. While adding no protection to a property, it can instill pride in ownership and encourage preservation efforts.

Education programs are another critical component of any historic preservation program. Many owners of historic properties are unfamiliar with historic preservation techniques and have been known to rebel against historic register designation, local historic district designation, and village district designation for fear that they will lose control of their property or be financially harmed. Historic register programs are honorary and offer positive benefits without any regulation whatsoever. The purview of local historic districts is limited to the architectural appearance of historic properties from the street and does not reach beyond to the rear or interior of structures (see sidebar). Once property owners understand that the benefits of historic preservation outweigh any limitations that it may create, they will be more likely to support historic preservation initiatives in the future.

Historic Residence



Nellie McKnight Museum



Historic District Myths

Historic District Designation will lower the value of homes: **False.** Studies have shown that both national and local historic district designations can stabilize or increase property values relative to similar properties outside of historic districts.

Local Historic District Commissions can regulate changes to the interior of buildings: **False.** Commissions can only regulate the exterior appearance of elements that are visible from the street. Interior changes or exterior alterations and additions that are not visible from the street are not regulated.

Local Historic District Commissions can control the color of your house: **False.** Painting your house is routine maintenance and is not a regulated activity. A Commission, if requested, might offer advice to a property owner on historic paint schemes.

Local Historic District Commissions can prevent the demolition of a historic structure: **False.** Historic District Designation cannot ultimately prevent the demolition of an historic structure. A separately enacted Demolition Delay Ordinance can delay the demolition of an historic structure for up to 90 days in order to explore alternatives to demolition such as purchasing the property or relocating the structure.

Local Historic District Commissions can prohibit the installation of handicapped access ramps or fire escapes: **False.** Commissions cannot prohibit the permitted installation of features required to protect health and safety.

Preliminary Historic Preservation Strategies

1. Secure State funds and conduct a Town wide historic resource inventory.
2. Explore appropriateness of establishing Local Historic Districts.
3. Explore use of Village Districts to regulate historic commercial areas.
4. Amend zoning regulations to provide adaptive reuse provisions for historic properties.
5. Allow tax abatements for restoration or improvements to historic properties that do not compromise their architectural or historic integrity.
6. Adopt a demolition delay ordinance that requires up to a 90-day waiting period before the demolition of a historic structure.
7. Encourage applications for National and State Historic Register designation.
8. Consider establishing a local register of historic places and providing historic placards to instill pride in ownership.
9. Seek ways to provide educational programs and technical assistance to owners of historic resources.



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